

359 805

THE MYSORE GAZETTE.

Published by Authority.

BANGALORE, SATURDAY, DECEMBER 19, 1874.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by the Judicial Commissioner, &c.

JUDICIAL DEPARTMENT.

NOTIFICATIONS.

The 18th December 1874.

The following appeals and petitions have been posted for hearing in the Judicial Commissioner's Court on the following dates :—

Nos.	APPELLANTS OR PETITIONERS.	RESPONDENTS.	Date of Hearing.
S. A. No. 83	... Viramma ...	... Puttananjappa ...	... 19th Dec. 1874.
S. A. No. 87	... Vine Narasimmaiya ...	... Srinivasaraghavachari ...	... Do
S. A. No. 95	... Gauramma ...	... Sub Nayik ...	... Do
S. A. No. 107	... Subbanayik ...	... Gauramma ...	... Do
S. A. No. 100	... Venkobachari ...	... Chaluva and others ...	... 7th Jan. 1875.
S. A. No. 101	... Suryanarayana Shastri ...	... Tamma Shastri ...	... Do
S. A. No. 102	... Andani ...	... Lingi ...	... Do
S. A. No. 103	... Chennaviraiya ...	... Srikantaiya ...	... 9th Do
S. A. No. 105	... Kempamma ...	... Puttarudrappa ...	... Do
C. A. No. 71	... Prisoner Kempalinge Gauda ...	...	... Do
Do No. 72	... Do Naga and others ...	...	... Do
S. A. No. 104	... Bagavanshetti ...	... Belur Shammanna ...	... 14th Do
S. A. No. 106	... Venkatasama Shastri and others ...	... Yarappareddi ...	... Do
S. A. No. 107	... Mohadin Saib. ...	... Dodde Gauda ...	... 16th Do
M. S. A. No. 9	... Mr. Moraes ...	... Shanmuka Modaliar ...	... 23rd Do

CIRCULAR ORDER.

No. 15.

The 6th October 1874.

The Judicial Commissioner has reason to believe that considerable inconvenience to parties and witnesses in session cases, and expense to the Government in the matter of Police escort, can be avoided by Session Judges trying the cases committed by the Magistracy of each District, at the head-quarters of such District, at certain fixed times in the year. Such a system of holding in each District, periodically, a session for the trial of the criminal cases of that District, is moreover desirable, not only on the ground of convenience to the parties concerned, but also in the interest of justice generally, and it seems likely neither to entail any great personal inconvenience on the Session Judges themselves, nor in any material degree to interfere with the discharge of their executive duties. With the concurrence of the Chief Commissioner, therefore, the following instructions are issued for the guidance of Session Judges and Magistrates, and shall be brought into operation from 1st January 1875.

I. Every Session Judge shall hold a quarterly session at the head-quarters of every District within his jurisdiction, and shall, during such session, try and dispose of all such cases as may have been committed to him for trial by the Magistrates in that District. Provided that in addition to the quarterly session above provided for, a Session Judge shall always have power to hold sessions at the Division head-quarters, as often as may be necessary for the disposal of cases committed by the Magistrates in the head-quarter District, due notice of the holding of such special sessions being given to the Magistrates and through them to the parties and witnesses concerned.

II. The Session shall commence on the first Monday of the month, and shall last as long as may be necessary, for the disposal of all cases in which the records have been received and the parties are present, on or before the first day of the session. When the first Monday is an authorized holiday, the session shall commence on the first Court day after such Monday.

III. The months during which the session shall be held for the different Districts in the Province may be as shewn below :—

NUNDYDROOG DIVISION.—1. *Bangalore*.—January, April, July, October.
2. *Kolar*.—February, May, August, November.
3. *Támbar*.—March, June, September, December.

NAGAR DIVISION.—4. *Shimoga*.—January, April, July, October.
5. *Kadur*.—February, May, August, November.
6. *Chitaldroog*.—March, June, September, December.

ASHTAGRAM DIVISION.—7. *Mysore*.—January, April, July, October.
8. *Hassan*.—February, May, August, November.

NOTE.—The Ashtagram Commissioner may hold Coercive Session in the months of March, June, September and December.

IV. Whenever the Session Judge is of opinion that owing to any special reason, any particular case or class of cases may with advantage be tried at a place other than the District head-quarters, permission to try such cases at such places should previously be obtained by application to the Judicial Commissioner.

V. Whenever the Session Judge is prevented by any unavoidable circumstance from reaching the District-head quarters at the time appointed for the commencement of the session, the same shall be commenced immediately on his arrival.

VI. It shall be the duty of all Magisterial Officers holding preliminary enquiries in cases triable by the Court of Session, to complete the enquiries and to submit the Proceedings to the Court of Session in such time as will enable the Judge to try the case at the next session at the District head-quarters. They should complete the enquiries before the commencement of the quarterly session, so as to avoid, as far as possible, any long detention of prisoners awaiting trial. The commitments should be made in such time as will enable the parties to reach the District head-quarters before the first day of session. The Judicial Commissioner trusts that these rules will be strictly adhered to, and that there will, therefore, be no occasion for any great delay in the trial of persons committed to the Court of Session.

VII. At the conclusion of each trial, the Session Judge must issue the necessary warrants for the execution of any sentences which may have been passed by him. In the case of sentences which, under the rules in force, require to be executed at the Jail at the head-quarters of the Division, the warrants must be addressed to the Officer in charge of such Jail, and it will be the duty of the Senior Magisterial Officer at the District head-quarters to arrange for the safe escort of the prisoners in such cases to the Jail at the Division head-quarters. 802.

VIII. An important end which the Judicial Commissioner has in view, in directing that quarterly session may be held at District head-quarters, is, to enable the Session Judges to secure, at the trial, the services, as assessors, of intelligent men with local experience and a knowledge of the manners and customs of the people. In order to attain this end, every Deputy Commissioner must, after due and careful consideration, prepare a list of assessors in accordance with the provisions of Section 400 of the Criminal Procedure Code, a copy of such list being sent as soon as possible to the Session Judge, who may add to it the names of any persons qualified in his opinion to serve as assessors. The list, with the additions, if any, made by the Judge, must then be duly published as required by Section 401, and after this has been done the Session Judge must sit with the Deputy Commissioner at the District head-quarters and revise the list, as required by Section 402. When the list has been framed, published and revised in the manner above pointed out, copies of it, signed by the Deputy Commissioner and the Session Judge, must be posted up in the Courts of the District Magistrate and the Commissioner. A copy should also be submitted to the Judicial Commissioner for his information.

IX. The Judicial Commissioner requests the special attention of Deputy Commissioners and Session Judges to the great importance of the first careful preparation, and the subsequent thorough scrutiny of the lists of assessors. A careful selection of men qualified by their intelligence and character to discharge the responsible duty of assisting at a criminal trial will, the Judicial Commissioner believes, secure to our Criminal Courts the sympathy and respect of the public, and impart a tone to the whole Criminal Administration.

X. Should it not be possible in the case of any District to secure, within a distance of ten miles from the district head-quarters, a sufficient number of men qualified to serve as assessors, the Deputy Commissioner must represent the matter, through this Office, for the orders of the Chief Commissioner under Section 400 of the Criminal Procedure Code.

J. D. GORDON,
Judl. Commr.

INAM DEPARTMENT.

NOTIFICATION.

No. 14.

The 1st December 1874.

It is hereby notified for general information, that all title-deeds to which any condition of service is attached, are now granted to the office-holder "*for the time being*," and are not made out in the name or names of individuals who at the time of the grant perform the services for which such inams are granted.

J. PUCKLE,
Offg. Supt., Inam Settlement.

FINANCIAL DEPARTMENT.

The 9th December 1874.

The undersigned is prepared to grant supply bills at two annas per cent premium and three days' sight for sums not less than Rupees 500, on the Shimoga and Chikmagalur District Treasuries, and payable there or at the taluks where funds are available.

H. HUDSON,
Dy. Acctt. General in Mysore.